

**MORRIS, NICHOLS, ARSHT & TUNNELL LLP**

1201 NORTH MARKET STREET  
P.O. BOX 1347  
WILMINGTON, DELAWARE 19899-1347

(302) 658-9200

**MICHAEL J. FLYNN**  
(302) 351-9661  
mflynn@morrisnichols.com

August 9, 2024

The Honorable Christopher J. Burke  
United States District Court  
for the District of Delaware  
J. Caleb Boggs Federal Building  
844 North King Street  
Wilmington, DE 19801

*VIA ELECTRONIC FILING*

Re: *Attentive Mobile Inc. v. 317 Labs d/b/a Emotive*  
C.A. No. 22-1163 (CJB)

Dear Judge Burke:

Pursuant to the Court's August 9, 2024 Order (D.I. 179), Plaintiff Attentive Mobile Inc. ("Attentive") submits this letter explaining the reason for the late filing of its reply brief regarding the discovery dispute motion set for argument on Monday, August 12.

As the Court noted, there have been multiple discovery dispute letters filed both in this case and in the related case, *Attentive Mobile Inc. v. Stodge Inc. d/b/a Postscript*, C.A. No. 23-87-CJB. Unfortunately, the date for filing Attentive's reply to this discovery dispute was not calendared properly. Upon discovering the error, Attentive's counsel prepared and filed its reply promptly. In short, Attentive's late filing was an unintentional oversight, which it tried to remedy as quickly as possible.

Attentive's counsel apologizes to the Court for any inconvenience.

Respectfully,

*/s/ Michael J. Flynn*

Michael J. Flynn (#5333)

MJF/bac

cc: Clerk of Court (Via Hand Delivery.)  
All Counsel of Record (Via Electronic Mail)